

(3) **EXTENSION OF TIME PERIOD.**—The court of appeals may grant an extension of the 60-day period described in paragraph (2) if—

(A) all parties to the proceeding agree to such extension, for any period of time; or

(B) such extension is for good cause shown and in the interests of justice, for a period not to exceed 10 days.

(4) **DENIAL OF APPEAL.**—If a final judgment on the appeal under paragraph (1) is not issued before the end of the period described in paragraph (2), including any extension under paragraph (3), the appeal shall be denied.

(d) **EXCEPTION.**—This section shall not apply to any class action that solely involves—

(1) a claim concerning a covered security as defined under section 16(f)(3) of the Securities Act of 1933 (15 U.S.C. 78p(f)(3)¹) and section 28(f)(5)(E) of the Securities Exchange Act of 1934 (15 U.S.C. 78bb(f)(5)(E));

(2) a claim that relates to the internal affairs or governance of a corporation or other form of business enterprise and arises under or by virtue of the laws of the State in which such corporation or business enterprise is incorporated or organized; or

(3) a claim that relates to the rights, duties (including fiduciary duties), and obligations relating to or created by or pursuant to any security (as defined under section 2(a)(1) of the Securities Act of 1933 (15 U.S.C. 77b(a)(1)) and the regulations issued thereunder).

(Added Pub. L. 109–2, §5(a), Feb. 18, 2005, 119 Stat. 12.)

EFFECTIVE DATE

Section applicable to any civil action commenced on or after Feb. 18, 2005, see section 9 of Pub. L. 109–2, set out as an Effective Date of 2005 Amendment note under section 1332 of this title.

[CHAPTER 90—OMITTED]

CODIFICATION

Chapter 90, consisting of sections 1471 to 1482, which was added by Pub. L. 95–598, title II, §241(a), Nov. 6, 1978, 92 Stat. 2668, and which related to district courts and bankruptcy courts, did not become effective pursuant to section 402(b) of Pub. L. 95–598, as amended, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

TRANSITION TO NEW COURT SYSTEM

Pub. L. 95–598, title IV, §409, Nov. 6, 1978, 92 Stat. 2687, as amended by Pub. L. 98–249, §1(d), Mar. 31, 1984, 98 Stat. 116; Pub. L. 98–271, §1(d), Apr. 30, 1984, 98 Stat. 163; Pub. L. 98–299, §1(d), May 25, 1984, 98 Stat. 214; Pub. L. 98–325, §1(d), June 20, 1984, 98 Stat. 268; Pub. L. 98–353, title I, §121(d), July 10, 1984, 98 Stat. 346, which provided for transfer to the new court system of cases, and matters and proceedings in cases, under the Bankruptcy Act [former Title 11] pending at the end of Sept. 30, 1983, in the courts of bankruptcy continued under section 404(a) of Pub. L. 95–598, with certain exceptions, and cases and proceedings arising under or related to cases under Title 11 pending at the end of July 9, 1984, and directed that civil actions pending on July 9, 1984, over which a bankruptcy court had jurisdiction on July 9, 1984, not abate, but continuation of such actions not finally determined before Apr. 1, 1985, be removed to a bankruptcy court under this chapter, and that all law

books, publications, etc., furnished bankruptcy judges as of July 9, 1984, be transferred to the United States bankruptcy courts under the supervision of the Director of the Administrative Office of the United States Courts, was repealed by Pub. L. 98–353, title I, §122(a), July 10, 1984, 98 Stat. 343, 346, eff. July 10, 1984.

CHAPTER 91—UNITED STATES COURT OF FEDERAL CLAIMS

Sec.

- 1491. Claims against United States generally; actions involving Tennessee Valley Authority.
- 1492. Congressional reference cases.
- [1493. Repealed.]
- 1494. Accounts of officers, agents or contractors.
- 1495. Damages for unjust conviction and imprisonment; claim against United States.
- 1496. Disbursing officers' claims.
- 1497. Oyster growers' damages from dredging operations.
- 1498. Patent and copyright cases.
- 1499. Liquidated damages withheld from contractors under chapter 37 of title 40.
- 1500. Pendency of claims in other courts.
- 1501. Pensions.
- 1502. Treaty cases.
- 1503. Set-offs.
- [1504. Repealed.]
- 1505. Indian claims.
- [1506. Repealed.]
- 1507. Jurisdiction for certain declaratory judgments.
- 1508. Jurisdiction for certain partnership proceedings.
- 1509. No jurisdiction in cases involving refunds of tax shelter promoter and understatement penalties.

HISTORICAL AND REVISION NOTES

1949 ACT

This section inserts in the analysis of chapter 91 of title 28, U.S.C., item 1505, corresponding to new section 1505.

AMENDMENTS

2006—Pub. L. 109–284, §4(1), Sept. 27, 2006, 120 Stat. 1211, substituted “chapter 37 of title 40” for “Contract Work Hours and Safety Standards Act” in item 1499.

1992—Pub. L. 102–572, title IX, §902(a)(1), Oct. 29, 1992, 106 Stat. 4516, substituted “UNITED STATES COURT OF FEDERAL CLAIMS” for “UNITED STATES CLAIMS COURT” as chapter heading.

1984—Pub. L. 98–369, div. A, title VII, §714(g)(3), July 18, 1984, 98 Stat. 962, added item 1509.

1982—Pub. L. 97–248, title IV, §402(c)(18)(B), Sept. 3, 1982, 96 Stat. 669, added item 1508.

Pub. L. 97–164, title I, §133(e)(2)(B), (f), (h), (j)(2), Apr. 2, 1982, 96 Stat. 41, substituted “UNITED STATES CLAIMS COURT” for “COURT OF CLAIMS” in chapter heading, substituted “Liquidated damages withheld from contractors under Contract Work Hours and Safety Standards Act” for “Penalties imposed against contractors under eight hour law” in item 1499, and struck out items 1504 “Tort Claims” and 1506 “Transfer to cure defect of jurisdiction”.

1976—Pub. L. 94–455, title XIII, §1306(b)(9)(B), Oct. 4, 1976, 90 Stat. 1720, added item 1507.

1960—Pub. L. 86–770, §2(b), Sept. 13, 1960, 74 Stat. 912, added item 1506.

Pub. L. 86–726, §4, Sept. 8, 1960, 74 Stat. 856, substituted “Patent and copyright cases” for “Patent cases” in item 1498.

1954—Act Sept. 3, 1954, ch. 1263, §43, 68 Stat. 1241, inserted “; actions involving Tennessee Valley Authority” in item 1491 and struck out item 1493 “Departmental reference cases”.

1949—Act May 24, 1949, ch. 139, §86, 63 Stat. 102, added item 1505.

¹ So in original. Probably should be “77p(f)(3)”.